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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,410	12/12/2003	Shinji Takahashi	0505-1259P	9118
2292 7590 04/06/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER SPISICH, GEORGE D	
			ART UNIT	PAPER NUMBER
			3616	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		04/06/2007	ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/06/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/733,410

Applicant(s)

TAKAHASHI, SHINJI

Examiner

George D. Spisich

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-6 is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 8, 11-13, 17, 18 and 21-23 is/are rejected.
- 7) ☒ Claim(s) 9, 10, 14-16, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,7,8,11,13,17,18 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakawa et al. (USPN 5,699,872) (cited in previous Office Action) in view of Applicant's admitted Prior Art (in Figures 6 and 7).

Miyakawa et al. (see at least Figure 3,4 and 5) discloses a steering shaft support structure for a vehicle for uneven ground operation in which front wheels and rear wheels are suspended from a body frame via a suspension and the front wheels can be steered with a handle via a steering shaft mounted rotatably on the body frame, the steering support structure being placed in spanning relation between left and right pipes L-shaped pipes (17) having an arcuate portion at the upper most portion of the L-shaped pipe composing the body frame and a steering shaft being supported by a cross beam (unnumbered). It appears that the frame structure of Miyakawa et al. is similar to Applicant frame. In Figure 5, the L-shaped pipes are mounted at their front portions to cross member 14, as Applicant has claimed in new claims 21 and 23.

However, Miyakawa et al. does not show first and second arcuate portions interlockingly supporting the steering shaft.

AAPA shows a front holder (113) with an arcuate portion formed at a central portion thereof. The method of forming the front holder, which is claimed as press/bend molding, has not been given patentable weight.

The first and second arcuate portions interlockingly support the steering shaft on the body frame in a rotatable manner.

There is a bushing (112) mounted on the cross beam for rotatably mounting the steering shaft relative to the cross beam.

The cross beam (as it is assembled with the arcuate clamping portion 114) includes an arcuate portion at a central portion thereof and flat portions at both ends thereof with a protruding wall formed to protrude rearwardly from the upper edge of the arcuate portion (as is inherent with the duplicate part of half 113).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the steering support of Miyakawa et al. with an arcuate first and second portion for supporting the steering shaft as shown in AAPA (Figure 6,7) as this is a well known and stable means to rotatably supporting a steering column.

Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakawa et al. in view of AAPA as applied to claims 1,3,7,8,11,13,17,18 and 21-23 above, and further in view of JP09-207855.

Miyakawa et al. in view of Applicant's Admitted Prior Art (Figs. 6 and 7) has been discussed in the prior rejection. However, neither Miyakawa et al. nor AAPA shows a tank support portion on the cross beam.

JP '855 discloses a cross beam for supporting a steering shaft and further having a tank support portion (102).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the cross beam member portion of Miyakawa et al. in view of AAPA so as to provide a tank supporting portion as taught by JP '855 so as to combine the steering shaft support and tank support and further enhance the supporting of other portions of the vehicle.

#### ***Allowable Subject Matter***

Claims 4-6 are allowed.

Claims 9,10,14-16,19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-3,7,8,11-13,17,18 and 21-23 have been considered but are moot in view of the new ground(s) of rejection.

The claimed subject matter in the amended claims is met by the new rejection. It is Examiner's position that the frame arrangement of a cycle is not directly related to the connection of the steering shaft on a steering support member. Therefore, any limitations in the frame of the vehicle is easily modified and obvious that within the

vehicle frame art, many combinations and shapes of frame members would be known and work with the steering support structure claimed.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George D. Spisich whose telephone number is (571) 272-6676. The examiner can normally be reached on Monday-Friday 9:00 to 6:30 except alt. Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

George D. Spisich  
April 2, 2007



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4/2/07